REMARKS

This is in response to the Office Action mailed October 4, 2007. A Request for Continued Examination is filed herewith.

Claims 1, 2-4, 6, 8 and 9 have been amended. Claims 5 and 7 have been cancelled without prejudice or disclaimer. Claims 1-4, 6, 8 and 9 are currently pending under consideration. No new matter has been added.

Support for the amendments can be found, for example, on page 1, lines 12-20; page 14, line 21 to page 16, line 1; page 18, line 11 to page 22, line 23; page 24, line 3 to page 25, line 25; and page 35, line 23 to page 36, line 6 of the Specification.

REJECTION UNDER 35 U.S.C. § 101

On page 2, item 3, the Office Action rejected claim under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claim 7 has been cancelled, and therefore, the rejection is moot.

REJECTIONS UNDER 35 U.S.C. § 103(a)

On page 2, item 6, the Office Action rejected claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over Singh et al. (U.S. 7,155,462 B1) in view of Crawford (U.S. 6,014,651). This rejection is respectfully traversed.

On page 3, item 6(a)(i)(2), the Office Action cites column 2, lines 59-64 of Singh as describing the "storage device" of claim 1. Claim 1, has been amended to recite:

> a storage device storing management information indicating a correspondence of a name of target software of issued revision information, an issue date, an importance degree and a version of the issued revision information, a customer used software list indicating a correspondence of a customer name, a name of software that the customer uses and a restricting condition including a threshold designated by the customer, and a dynamic assignment table indicating a correspondence of a server name, a customer name, a name of installed software and a version;

(lines 6-12). Applicants assert that Singh fails to describe the above recited features of claim 1. For example, Singh fails to describe "storing... an issue date, an importance degree and a version of the issued revision information" and "a dynamic assignment table indicating a correspondence of a server name, a customer name, a name of installed software and a version" as recited by claim 1.

On page 3, item 6(a)(i)(1), the Office Action cites Figure 2A and column 2, lines 25-58 of Singh as describing the "calculation device" of claim 1. Claim 1, has been amended to recite:

> a calculation device referring to the management information when new revision information is issued, calculating basic points corresponding to issue dates for respective versions of software corresponding to a name of target software of the new revision information, and calculating indexes of the respective versions by changing the obtained basic points according to importance degrees of the respective versions; and

(lines 13-19). Applicants assert that Singh fails to describe the above recited features of claim 1. For example, Singh fails to describe "calculating basic points corresponding to issue dates for respective versions" and "calculating indexes of the respective versions... according to importance degrees of the respective versions" as recited by claim 1.

On page 3, item 6(a)(i)(3), the Office Action cites column 2, line 64 through column 3, line 21 of Singh as describing the "application device" of claim 1. Claim 1, has been amended to recite:

> an application device referring to the customer used software list, obtaining a customer name and a restricting condition corresponding to the same name of software as the name of target software of the new revision information, referring to the dynamic assignment table, obtaining a customer name and a version corresponding to the same name of installed software as the name of target software of the new revision information, checking whether a calculated index for the obtained version satisfies the restricting condition for each customer name by comparing the calculated index with a threshold included in the obtained restricting condition, obtaining a server name corresponding to the same name of installed software as the name of target software of the new revision information if the calculated index does not satisfy the restricting condition, and applying the new revision information to the installed software operating in a server with the obtained server name to update the installed software.

(lines 22-33). Applicants assert that Singh fails to describe the above recited features of claim 1. For example, Singh fails to describe "obtaining a customer name and a restricting condition corresponding to... target software of the new revision information" and "checking whether a calculated index... satisfies the restricting condition for each customer name by comparing the calculated index with a threshold included in the... restricting condition" as recited by claim 1.

Crawford merely relates to an online service for computer users that supplies automated information processing services to user for a fee.

Crawford describes the following at column 9, lines 64-67.

> A host based controlling command for each service option and a router security

intercept program which track the start and end time for billing purposes whenever a command executes within the customer processor.

Crawford further describes the following at column 12, lines 62-67.

> New software can be loaded onto customer computer 50 by storing the software on floppy diskette 62 and inserting the floppy diskette into disk slot 60 so that it can be read by the main processor unit 52. The user operates keyboard 56 and mouse 58 to interact with the software tasks performed by computer 50.

Applicants submit that Crawford fails to cure the deficiencies of Singh describe above. Accordingly, claim 1 patentably distinguishes over the cited art for at least the reasons discussed above.

Independent claim 2, 8 and 9, with potentially differing scope and breadth, recite similar features to those describe above, and therefore, patentably distinguish over the cited art.

Dependent claims 3, 4 and 6 inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed above in addition to the additional features recited therein. For example, claim 3 recites:

> applying the new revision information to the installed software included in the software configuration in the unused server, and assigning the unused server instead of the server with the obtained server name to the customer in order to update the installed software

(lines 4-7). The cited art does not describe such a feature.

In view of the above, applicants respectfully request the rejection be withdrawn.

CONCLUSION

It is believed that the present Amendment is responsive to each of the points raised by the Examiner in the Office Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.
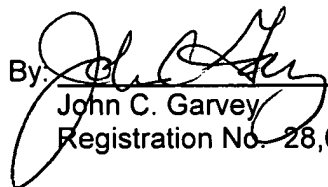
Respectfully submitted,

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